

From: Michael W Evans
Sent: Saturday, March 29, 2014 10:41 PM
To: Jud Testimony
Subject: RE: S.B. 494

There is nothing in this bill which provides the public information on what AMC/GALs are paid, how much time they actually spend with children, or if they are doing what they have been assigned to do.

Ø There is no requirement that the Office of the Public Defender post a list of the graduates of the GAL/AMC program who will work for a \$500 retainer and \$50 per hour--which would be the state contractor rate for indigent families.

Ø S.B. 494 contains no standard or a written Code of Ethics for GALs/AMCs with an enforcement sanction for misrepresentation of a child's right of Informed consent.

Ø S.B. 494 does not offer any kind of independent oversight over AMC/GALs are a way for parents to file a complaint outside of the Judiciary or attorney-controlled Statewide Grievance Committee.

Ø S.B. 494 contains no defined set of responsibilities for a GAL such as issuing a report on an evaluation of the sixteen factors---it leaves that up to "judicial discretion"--which we have seen leads to no uniform standards like "automatic orders" entered at the time of the divorce is commenced.

Ø S.B. 494 makes no changes in the Rules of Professional Conduct for attorneys appointed by the court or the Connecticut PB Rules which would conflict with the legislative language.

Ø S.B. 494 eliminates the invasion of 529 plans---but in no way does it limit the amount of money which can be ordered from an IRA which has tax consequences.

Ø S.B. 494 does not limit or cap AMC/GAL fees.

What we NEED and are ASKING for, in part:

Ø Independent oversight over AMC/GALS, no outsourcing of judicial authority to them

Ø A presumption of Shared Parenting and equal access, absent clear abuse and neglect

Ø Legislation that does NOT assign privilege or parental rights to AMC/GALs absent clear neglect and abuse

Ø Caps on what these AMC/GALs are paid (flat rates! Not hourly billing)

In short, S.B. 494 is a start – but MUST be modified to make it effective.

Sincerely,
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